

2.4 Design Review Board

A. Creation

A Design Review Board is hereby established by the City of College Station for the purpose of enhancing the City's ability to review sign, building, and site design issues, including architectural issues as specified in this UDO, by bringing expertise from the community to bear on these issues in designated design districts.

Per Ordinance No. 2753 dated September 23, 2004

B. Membership and Terms

1. The Design Review Board shall consist of seven regular members and two alternate members. Six of the regular members and the two alternate members shall be appointed by the City Council. City Council shall appoint the following to the Design Review Board:

- a. Registered architect
- b. Business person
- c. Landscape architect
- d. Developer or land owner in a design district
- e. Person knowledgeable in aesthetic judgment
- f. Citizen-at-large

Of the members listed above, at least two shall be owners of property or a business within a design district, a resident within a design district, or an individual employed within a design district.

The seventh regular member shall be the Chairman of the Planning and Zoning Commission or his designee.

Per Ordinance No. 2647, dated July 10, 2003.

2. Members shall be appointed for two-year terms.
3. The Design Review Board is a governmental body and shall comply with the OPEN MEETINGS ACT.

C. Officers, Meetings, Quorum

1. Officers

A Chairperson shall be appointed annually by the City Council. The Board shall select a Vice-Chair from among its members as needed.

2. Meetings

Members of the Design Review Board shall meet regularly and the Chairperson shall designate the time and place of such meetings. All meetings of the Board where a quorum is present shall be open to the public.

3. Quorum

Four members shall constitute a quorum for the transaction of any business. Any recommendation or decision which does not receive a majority of positive votes from those members present shall be deemed a negative report.

4. Rules of Proceeding

The Design Review Board shall adopt its own rules of procedure.

5. Minutes

The Design Review Board shall keep minutes of its proceedings, showing the vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Administrator and shall be a public record.

D. Powers and Duties

The Design Review Board has the following powers and duties:

1. Site and Concept Plans

The Design Review Board shall hear and take final action on design district site plans and concept plans for Planned Development Districts (PDD) and Planned Mixed-Use Districts (P-MUD).

2. Wolf Pen Creek District and Overlay District Review

The Design Review Board shall approve or deny building and sign materials and colors in the Wolf Pen Creek District, and shall approve or deny all alternate building or fence materials and fence height in the Krenek Overlay District, as specified within this UDO.

Per Ordinance No. 2716, dated April, 2004.

3. Wolf Pen Creek Parking Waivers

The Design Review Board shall hear and decide requests to vary from the amount of required parking in the Wolf Pen Creek (WPC) District.

4. Northgate District Standards Waivers

The Design Review Board shall hear and decide requests to vary from the standards of Section 5.6.B Northgate Districts as listed in 5.6.B.14 Waivers.

5. Driveway Appeals

The Design Review Board shall hear appeals to decisions of the Development Engineer regarding driveway appeals.

6. Appeal of Requirement Based on Site Plan Review Criteria

The Design Review Board shall hear and decide appeals of the Administrator's application of site plan requirements to assure compliance with Section 3.5.E, Site Plan Review Criteria.

6. Buffer Appeals

The Design Review Board shall hear appeals of buffer requirements listed in Section 7.6, Buffer Requirements.

E. Staff

The Administrator shall provide staff, as needed, to the Design Review Board.

2.5 Administrator

A. Designation

The City Manager shall designate the Administrator for the City of College Station. Where this UDO assigns a responsibility, power, or duty to the Administrator, the Administrator may delegate that responsibility, power, or duty to any other agent or employee of the City whom the Administrator may reasonably determine.

B. Powers and Duties

The Administrator shall have the following powers and duties:

1. Administration and Enforcement

The Administrator shall administer and enforce the provisions of this UDO.

2. Interpretation

The Administrator is responsible for interpreting the provisions of this UDO and the provisions of CHAPTER 9 OF THE CITY OF COLLEGE STATION CODE OF ORDINANCES (SUBDIVISION REGULATIONS). The Administrator shall make written interpretations of this UDO and Subdivision Regulations, when requested, setting forth the reasons and explanation therefore.

Per Ordinance No. 2753 dated September 23, 2004

3. Building Permits

The Administrator shall review and certify that the proposed construction, moving, alteration, or use of the land either does or does not comply with the provisions of this UDO prior to issuance of a Building Permit by the Building Official.

4. Final Action

The Administrator shall review and take final action on the following:

- a. Sign permits;
- b. Site plans (not Wolf Pen Creek District site plans);
- c. Administrative adjustments;
- d. Minor and amending plats;
- e. Determination of building plot (Section 7.1, General Provisions);
- f. Minor design district projects;
- g. Alternative parking plans for site-planned facilities (Section 7.2, Off-Street Parking Standards); and
- h. Alternative parking plans (Section 7.2, Off-Street Parking).

Per Ordinance No. 2753 dated September 23, 2004

5. Other Duties

The Administrator shall perform other duties imposed under the provisions of the College Station City Code of Ordinances, as amended from time-to-time.

2.8 Summary of Review Authority

The following table summarizes the authority of the various review bodies and staff.

PROCEDURE	City Council	P & Z Comm.	Zoning Bd of Adj.	Design Rev. Bd.	Admini- strator	Buidling Official	Dev. Eng.	Court
CITY COUNCIL								
Oversize Participation	D						R	
Development Agreement	D				RR		R	
Conditional Use permit	D	R			RR			
Zoning Map Amendment	D	R			RR			
Text Amendment	D	R			RR			
Comp. Plan Amendment	D	R			RR			
Impact Fee/CIP Priorities	D	R						
PLANNING & ZONING COMMISSION								
Preliminary Plat		D			RR		R	A
Final Plat		D			RR		R	A
Waiver of Subdivision Standard		D			RR		R	A
Alternative Arch. Material		D			R			
ZONING BOARD OF ADJUSTMENT								
Variance			D		RR	RR	RR	A
Administrative Appeal			D		R			A
Zoning Map Interpretation			D		R			A
DESIGN REVIEW BOARD								
Wolf Pen Creek Design District Site Plan		A		D	R			
PDD/P-MUD Concept Plan		A		D	R			
Wolf Pen Creek Design District Building/Sign Review		A		D	R			
WPC Parking Waivers		A		D	R			
NG Waivers		A		D	R			
ADMINISTRATOR								
Interpretation		A**	A		D			
Sign Permit			A		D			
Site Plan		A		A*	D			
Administrative Adjustment			A		D			
Design District Building. Or Sign, Minor			A		D			
Minor or Amending Plat		A			D		R	
PD Concept Plan Minor Amend.		A			D			
Alternative Parking Plans		A			D		R	
BUILDING OFFICIAL								
Building Permit						D		
Certificate of Occupancy					R	D		
Certificate of Completion					R	D	R	
DEVELOPMENT ENGINEER								
Development Permit							D	
Driveway Application				A			D	
Alternative Const. Material				A			D	

*Section 3.5.E, Site Plan Review Criteria and 3.6.E, Design District General Site Plan Review Criteria Only.

Subdivision Regulations Only. **KEY: D=Final Action/Decision A=Appeal R=Recommend RR=Review/Report

Per Ordinance No. 2753 dated September 23, 2004

Wolf Pen Creek Design District Site Plan Review

A. Applicability

1. Design Districts

Prior to any development in the Wolf Pen Creek district (WPC) excluding minor additions such as accessory buildings and structures, an applicant must obtain design district site plan approval under this Section.

Per Ordinance No. 2753 dated September 23, 2004

2. Design District Site Plan Review Required

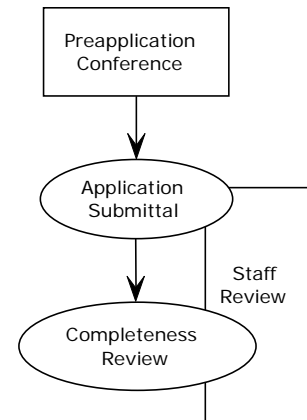
No private development shall be lawful or permitted to proceed without final design district site plan approval. Minor additions may be approved by the Administrator. Design district site plan approval shall be required for all site plans as part of a conditional use permit.

3. General Requirements

- a. All improvements reflected on approved site plans must be constructed at the time of development.
- b. All associated rehabilitation, façade work, and other construction must be conducted subsequent to and in compliance with approved elevations, colors, and materials. Such review may take place concurrent with the site plan review, or may take place separately, as provided in Section 3.8, Development Permit.
- c. All terms and conditions of site plan approval must be met at the time of development.

B. Application Requirements

A complete application for site plan approval shall be submitted to the Administrator as set forth in Section 3.1.C, Application Forms and Fees. The application shall include a landscape plan illustrating compliance with the requirements of Section 7.5, Landscaping and Tree Protection.



C. Wolf Pen Creek Design District Approval Process

Wolf Pen Creek design district site plan review applications shall be processed in accordance with the following requirements:

1. Preapplication Conference

Prior to the submission of an application for design district site plan approval, all potential applicants shall request a preapplication conference with the Administrator as required in Section 3.1.B, Preapplication Conference.

2. Review and Report by the Administrator

If the proposed design district site plan is determined to be consistent with all applicable provisions of this UDO, the City's Comprehensive Plan, and the Wolf Pen Creek Master Plan, or if the plan is recommended for denial or conditional approval, the Administrator shall report such consistency, inconsistency, or proposed conditions to the Design Review Board.

3. Review by the Design Review Board

The Design Review Board shall review the design district site plan in a public meeting and may approve, approve with conditions or deny the application. Notice shall be provided by publication of the agenda of the meeting.

4. Final Action by the Design Review Board

If the proposed site plan is determined to be consistent with all applicable provisions of this UDO, including the applicable district provisions of Section 5.6.A Wolf Pen Creek and the review criteria below, the Design Review Board shall approve the design district site plan. A determination that all such requirements and provisions have not been satisfied shall result in disapproval of the site plan.

D. Design District Minor Additions Approval Process

Minor additions to a site are accessory buildings and structures, change of solid waste disposal location, painting, and landscaping. All site plan review applications for minor additions shall be processed in accordance with the following requirements:

1. Review by the Administrator

The Administrator shall review the design district site plan for a minor addition and may approve, approve with conditions, or deny the site plan. The Administrator may also forward the site plan to the Design Review Board for any reason.

2. Final Action by the Administrator

If the proposed site plan is determined to be consistent with all applicable provisions of this UDO, the City's Comprehensive Plan, and the Wolf Pen Creek Master Plan, including the applicable district provisions of Section 5.6.A Wolf Pen Creek, Use Standards, and the review criteria below, the Administrator shall approve the design district site plan. A determination that all such requirements and provisions have not been satisfied shall result in disapproval of the site plan.

E. General Site Plan Review Criteria

In order to be approved, a site plan must provide for:

1. Safe and convenient traffic control, handling, and vehicle queuing;
1. Assured pedestrian safety which may include the provision of sidewalks along the perimeter of the property meeting the specifications for same as outlined in Article 8, Subdivision Design and Improvements, relative to width and placement;
2. Efficient and economic public utility and sanitation access;
3. Public road or street access;
4. Satisfactory internal access including public, private, and emergency;
5. Adequate parking and maneuvering areas;
6. Noise and emission control or dispersion that complies with Chapter 7, Health and Sanitation, of the City's Code of Ordinances;
7. Visual screening of trash receptacles or other areas offensive to the public or existing adjacent development;
8. Runoff, drainage, and flood control;
9. Visual screening from the right-of-way of parking lots;
10. Compliance with standards, guidelines, and policies of the City's adopted Streetscape Plan; and
11. Determination and clear indication of what constitutes the building plot for purposes of this UDO.

C. Additional Review Criteria for the WPC District

The following standards, which affect the appearance of a development, shall govern the evaluation of a design submission in the WPC district:

1. Conformance to the City's Comprehensive Plan;
2. Exterior space utilization;
3. Material selection;
4. Compatibility with existing development in the design district;
5. Vehicular, pedestrian, and bicycle circulation;
6. Building location and orientation; and
7. Specific standards listed in Sections 5.6.A, Wolf Pen Creek Corridor.

D. Expiration of Approval

An approved design district site plan, including those approved prior to the effective date of this UDO, shall expire 12 months from the date of approval unless the proposed development is pursued as set forth below:

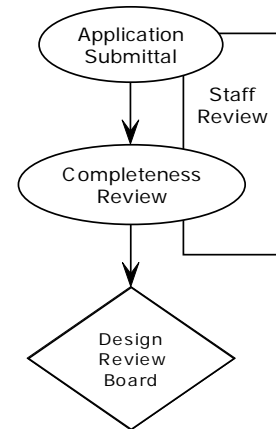
1. Work that does not require a building permit (such as a parking lot) has commenced.
2. A building permit has been issued and remains valid.

3. In a phased development where more than one building is to be built, the applicant may submit a series of building permit applications. The first application must be submitted within 12 months from the date the site plan is approved. Each subsequent application must be submitted within 12 months from the date of issuance of a certificate of occupancy for the previous building. The lapse of more than 12 months shall cause the expiration of site plan approval. A final, one-time extension of 180 days may be granted by the Administrator upon demonstration of substantial progress and the lack of changed or changing conditions in the area.

3.2 Wolf Pen Creek Design District Building and Sign Review

A. Applicability

1. In the Wolf Pen Creek district (WPC), all substantial maintenance (including but not limited to rehabilitation, façade work, and, change of exterior materials or other construction, including the replacement or alternation of signs) shall be subject to the WPC design district building and sign review process.
2. Minor maintenance or alterations such as storage buildings, porches, awnings, non-load bearing canopies, and the like shall be reviewed by the Administrator.



B. Application

A complete application for building or sign review in a design district shall be submitted to the Administrator as set forth in Section 3.1.C, Application Forms and Fees.

C. Final Action by Design Review Board

1. Public Meeting

The Design Review Board shall conduct design district review in a public meeting. Notice shall be provided by publication of the agenda of the meeting.

2. Design Review

The Board shall apply the standards for the district as set forth in Section 5.6.A, Wolf Pen Creek Development Corridor. In considering such matters, the Design Review Board may rely on special area plans or studies adopted by the City Council.

3. Written Decision

If approval is granted, the decision shall be communicated in writing to the applicant.

D. Expiration and Lapse of Approval

An approved Wolf Pen Creek district building or sign plan, including those approved prior to the effective date of this UDO, shall expire 12 months from the date of approval unless the proposed development is pursued as set forth below:

1. A building permit has been issued and remains valid.
2. In a phased development where more than one building is to be built, the applicant may submit a series of building permit applications. The first application must be submitted within 12 months from the date the site plan is approved. Each subsequent application must be submitted within 12 months from the date of issuance of a certificate of occupancy for the previous building. The lapse of more than 12 months shall cause the expiration of site plan approval. A final, one-time extension of 180 days may be granted by the Administrator upon demonstration of substantial progress and the lack of changed or changing conditions in the area.

B. Northgate Districts (NG)

Adjacent to Texas A&M University's north side, the Northgate area encompasses one of the oldest urban areas in College Station and, therefore, Northgate plays a prominent role in development and service of both the City of College Station and Texas A&M University. It is characterized as a unique "campus neighborhood" containing local businesses, churches, and off-campus housing in close proximity to the University.

Concepts related to Traditional Neighborhood Development (TND), which promotes a mixture of nonresidential and residential uses in a pedestrian-oriented setting, have been incorporated within the standards for the Northgate District. Other TND concepts incorporated into the Northgate District include increased density, compatible high quality building design, and specialized signage. The end result is intended to be a unique, pedestrian-friendly, dense urban environment that allows citizens of College Station and students of Texas A&M to eat, work, live, and recreate in an area within close proximity to the University.

1. Districts

The Northgate District consists of three districts: (1) NG-1 Core Northgate, (2) NG-2 Transitional Northgate, and (3) NG-3 Residential Northgate. Any reference and/or requirement made in this Section shall apply to all Northgate districts unless otherwise specified. These zoning districts incorporate regulations in accordance with the Northgate Redevelopment Implementation Plan.

a. NG-1 Core Northgate

This mixed use district applies to areas containing a diversity of pedestrian-oriented retail, dining/restaurant, housing, and entertainment businesses that are in close proximity to on- and off-campus dormitories. Regulations are designed to aid structural rehabilitation and redevelopment while promoting new high density, mixed use, pedestrian-oriented infill development with an urban character.

b. NG-2 Transitional Northgate

This district is intended for areas in Northgate containing larger retail commercial uses and undeveloped land. This district also serves to transition from suburban-style commercial development to high density, mixed-use redevelopment. This zoning district shall incorporate regulations designed to aid mixed-use development, pedestrian circulation, and redevelopment with an urban character. Any development in NG-2 may develop under the standards herein of NG-1.

c. NG-3 Mixed Use Northgate

This district is intended for areas in Northgate containing a variety of residential uses and structures. This district applies to areas determined to be suitable for higher density residential developments due to its close proximity to Texas A&M University. NG-3 incorporates regulations designed to aid pedestrian-oriented redevelopment for high density residential and limited commercial uses.

2. Additional Use Standards

The permitted and conditional uses outlined in Section 6.2 Types of Uses shall meet the following additional requirements related to the district in which the proposed project is located.

a. NG-1 Core Northgate

- 1) Buildings with frontage on Church Avenue, University Drive, College Main, Boyette Street from University Drive to Church Avenue, and Nagle Street from University Drive to Church Avenue shall not have parking, fraternal lodge, or residential use on the ground floor. These uses shall be allowed on the ground floor if they are completely located behind a commercial use that meets all other requirements of this ordinance.
- 2) Lots with frontage on Church Avenue, University Drive, College Main, Boyette Street from University Drive to Church Avenue, and Nagle Street from University Drive to Church Avenue shall not have surface parking that is closer than 200 feet to the right(s)-of-way or is not completely located behind a habitable structure.
- 3) Parking lots that are an ancillary use must be abutting the primary use.
- 4) Residential uses are only allowed in buildings that also contain commercial uses.
- 5) The maximum allowable gross floor area on the ground floor per single retail establishment is 10,000 square feet.
- 6) Freestanding, single-tenant buildings are prohibited except for the following uses: casual and fine dining restaurants (not "fast food"), hotels, theaters, and office buildings greater than 10,000 square feet.
- 7) Outdoor health clubs/sports facilities shall only be permitted on roof tops.

b. NG-2 Transitional Northgate

- 1) Buildings with frontage on Church Avenue, University Drive, South College Avenue, and Nagle Street from University Drive to Church Avenue shall not have parking, fraternal lodge, or residential use on the ground floor. These uses shall be allowed on the ground floor if they are completely located behind a commercial use that meets all other requirements of this ordinance.
- 2) Lots with frontage on Church Avenue, University Drive, and Nagle Street from University Drive to Church Avenue shall not have surface parking that is closer than 200 feet to the right-of-way or is not completely located behind a habitable structure.
- 3) The maximum allowable gross floor area on the ground floor per single retail establishment is 25,000 square feet.
- 4) Freestanding, single-tenant buildings are prohibited except for the following uses: casual and fine dining restaurants (not "fast food"), hotels, theaters, and office buildings greater than 10,000 square feet.

- 5) In lieu of Section 9.2.A Continuance, the replacement of a new drive-in/thru window will be permitted for a building in NG-2 if the building currently has a drive-in/thru window. When a drive-in/thru window is removed and replaced as part of a building renovation or rebuild, it may only be replaced where it can not be seen from University Drive. A drive-in/thru window will be considered abandoned when it is removed, when it is removed as part of a building renovation or rebuild, and not replaced before a Certificate of Occupancy or temporary Certificate of Occupancy is issued, or if a use occupies the building that does not utilize the drive-in/thru window as part of its daily operations.

c. NG-3 Mixed Use Northgate

Nonresidential uses permitted within NG-3 shall meet each of the following requirements:

- 1) Nonresidential uses may occupy no more than fifty percent (50%) of the total square footage of any building(s) or group of buildings developed in a building plot.
- 2) Any building containing a nonresidential use shall have a minimum of one (1) floor wherein one hundred percent (100%) of the floor area is occupied by a residential use. Offices and studios maintained within a residence for home occupations may be included within the residential use calculation.
- 3) The maximum allowable gross floor area per single retail establishment is 5,000 square feet.

3. Building Design Considerations for Historic Properties

a. Applicability

The following structures are reflected as medium or high priority in the Northgate Historic Resources Survey. Possible address discrepancies may be resolved by referencing the Northgate Historic Resources Survey.

NG-1

101 Church	417 University	106 College Main
113 College Main	501 University	108 College Main
217 University	505 University	109 College Main
303 University	303 Boyett	110 College Main
335 University	400 Boyett	111 College Main
401-405 University	105-107 College Main	318 First Street

NG-3

416-418 College Main	500 College Main	415 Tauber
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b. Standards

Rehabilitation of these structures shall follow the following standards:

- 1) The historic character of a property will be retained and preserved. Distinctive materials or features and spatial relationships that characterize a property shall not be removed or altered.

- 2) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- 3) Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials.

c. Process

All proposals affecting the materials, construction, or colors of a historic structure must be approved by the Administrator. The Administrator shall first consider the proposal in light of the standards listed above, then according to the standards set forth below in Section 5.B.5 Building Design Standards.

4. Building Design Standards

The following standards shall apply to all structures in the Northgate districts, including residential.

a. Building Orientation and Access

- 1) All buildings that have right-of-way frontage on Church Avenue shall orient their primary entrance façades toward Church Avenue.
- 2) All buildings that have right-of-way frontage on University Drive shall orient their primary entrance façades toward University Drive.
- 3) The primary entrance façades of all buildings not on Church Avenue or University Drive shall front a public right-of-way.
- 4) In the event a building has frontage on more than one right-of-way, the Administrator shall determine to which right-of-way the primary entrance façade shall be oriented. A public entrance façade shall be oriented toward the other right-of-way(s).
- 5) In the event that more than two façades require a public entrance, the Administrator may determine which two façades require entrances. The Administrator may also forward the question to the Design Review Board for any reason.
- 6) All residential dwelling units in a building with less than 12 residential dwelling units shall have access from the primary entrance façade. This access may not be through an area with a fence or wall taller than four feet (4'), garage, or parking area.

b. Building Transparency

Exemption: Sanctuaries in places of worship are exempted from this requirement.

- 1) Nonresidential structures and the commercial portions of mixed-use structures shall be at least sixty percent (60%) transparent on the first story or first fourteen feet (14') above ground level of the primary entrance façade and at least forty percent (40%) transparent on the ground floor façade fronting other rights-of-way. In the event that more than two façades require transparency, the Administrator may determine which two facades require minimum transparency. The Administrator may also

forward the question to the Design Review Board for any reason.
Graphics here showing transparency of shop and residential/corner shop (horizontal dimensions and percentages).

- 2) The transparent portion of a building shall be provided between three feet (3') above grade and eight (8') feet above grade for maximum pedestrian visibility of the nonresidential use(s).
- 3) Glass shall be clear or tinted, not reflective. Glass block and other materials that are semi-transparent shall not be used to meet this requirement.

c. Architectural Relief

- 1) For all façades facing a right-of-way, the first two stories or first twenty-eight feet (28') above ground level shall use architectural detail to provide visual interest by incorporating a minimum of two (2) design elements every twenty-five feet (25') from the following options: canopies, permanent decorative awnings, hood/drip molding over windows, cornices, corbelling, quoining, stringcourses, pilasters, columns, pillars, arcades, bay/oriel windows, balconies that extend from the building, recessed entries, stoops, and porches. Graphics in Section 11 for drip molding, quoining, and stringcourses. All definitions to 11.2.
- 2) Along all other façades not facing a right-of-way and not screened by another building located within fifteen feet (15 ft.) of the façade, there shall be at least two design elements as listed above for every forty feet (40'). These façades shall be similar and complementary to the primary entrance façade.
- 3) In lieu of the above requirements, buildings with less than 12 residential units shall provide individual architectural relief such as a front porch, balcony, or bay window for each unit on each façade. Architectural relief is not required on façades that are within fifteen feet (15 ft.) or another building that screens the façade.
- 4) Alternative architectural features may be considered for approval by the Design Review Board.

d. Roof Type

All roofs shall be flat. Parapets shall be allowed to screen mechanical equipment.

e. Exterior Building Materials

All structures within a building plot shall have materials that are similar and complement each other. When determining area herein, windows and doors are included.

- 1) The following applies only to the first two (2) stories or first twenty-eight feet (28') above ground level of all structures.
All façades (except those within fifteen feet (15 ft.) of another building that screens the façade) shall consist of a minimum of twenty-five percent (25%) of one or more of the following building materials. All other materials except as authorized herein or by the Design Review Board, are prohibited.

- a) fired brick;
 - b) natural stone;
 - c) marble;
 - d) granite
 - e) tile; and/or
 - f) any concrete product so long as it has an integrated color and is textured or patterned (not aggregate material or split-face CMU) to look like brick, stone, marble, granite or tile; or is covered with brick, stone, marble, granite, or tile or a material fabricated to simulate brick, stone, marble, granite, or tile.
- 2) In addition, all façades may utilize the following materials subject to the stated limitations. All other materials are prohibited.
- a) Stucco, EIFS, hard board, split-face CMU with integrated color, or any material equivalent in appearance and quality as determined by the Design Review Board shall not cover more than seventy-five percent (75%) of each façade.
 - b) Wood or cedar siding, stainless steel, chrome, standing seam metal, and premium grade architectural metal may be used as architectural accents and shall not cover greater than twenty (20%) of any façade.
 - c) Glass block and other materials that are semi-transparent shall not cover more than fifteen percent (15%) of any façade. Places of worship are exempted from this limitation.
 - d) Continuous ribbon window systems and glazed curtain walls are prohibited.
 - e) Smooth face, tinted concrete blocks shall only be used as an accent and shall not cover more than five percent (5%) of any façade.
 - f) Galvanized steel and painted steel are allowed on doors, including roll-up doors.
 - g) Steel, standing seam metal, and/or architectural metal, may be used as a roof and/or canopy/awning with no limitation of percentage.

f. Exterior Building Colors

- 1) Building and roof color requirements apply to all new buildings, redeveloped buildings, and façade work.
- 2) All building facades shall consist of only colors from the color palette maintained in the Office of the Administrator. All other colors shall be considered accent colors and may be used on no more than ten percent (10%) of each façade. No more than two accent colors may be used on each façade.
- 3) All roofs shall consist of only colors from the color palette for Northgate roof color maintained in the Office of the Administrator. No more than one color may be used on a roof when visible.

- 4) Existing buildings may continue to utilize colors that are not from the approved color palette provided that repainting is done for maintenance purposes only and the existing color is continued. Any color change on existing buildings shall be brought into compliance with this ordinance and color samples shall be submitted as provided herein.
- 5) Metallic (except copper and silver metallic colored roofs) and fluorescent colors are prohibited on any façade or roof.
- 6) When applying brick, colors normally found in manufactured fired brick are permitted. All colors of natural stone are permitted.
- 7) Color samples shall be submitted for approval to the Office of the Administrator.

g. Canopies/Awnings

- 1) Canopies/awnings shall not completely obstruct any window. Transom windows may be located under canopies/awnings.
- 2) Canopies/awnings are considered part of the building façade and are subject to the color requirements as specified above. A maximum of one (1) color shall be used for all canopies/awnings on a single building façade (excluding business logo).
- 3) Canopies/awnings shall consist of cloth, canvas, or standing seam metal material and shall be maintained in good repair. Canopies/awnings that are used to meet the required building setback shall not be cloth or canvas, but shall be a permanent structure integrated into the building's architecture, consisting of materials similar to that of the rest of the building.
- 4) Canopies/awnings located over the public right-of-way shall require a Private Improvement in the Public Right-of-Way agreement (PIP) in addition to the necessary Building Permit.

5. Off-Street Parking Standards

All off-street parking shall meet the requirements specified in Section 7.2 except as specifically provided herein:

- a. There shall be no minimum number of parking spaces required for nonresidential uses.
- b. Off-street parking facilities for residential uses shall meet 75% of the number of specified parking space requirements of Section 7.2.H Number of Off-Street Parking Spaces Required.
- c. No interior islands are required.
- d. Where off-street parking is to be installed adjacent to a right-of-way, there shall be a six-foot (6') setback from the required sidewalk to the parking pavement. The parking area shall be screened with shrubs (planted three feet (3') off-center) or a brick, stone, tinted CMU, or concrete product textured or patterned to look like brick or stone wall a minimum of three feet (3') in height, and within three feet (3') of the sidewalk. Walls shall be complementary to the primary building and shall be constructed as sitwalls.

- e. No off-street parking or circulation aisle shall be located between the primary entrance façade of a building and a right-of-way (with the exception of the South College Avenue right-of-way, which sites on this right-of-way may have up to one circulation aisle with parking on each side). Parking shall be located to the rear or side of a building. Porte cocheres and temporary, loading/unloading parking, not to exceed ten (10) spaces, for hotel and residential uses are exempt from this standard.
- f. Ramps shall not be expressed on the façades of parking garages fronting or visible from public rights-of-way.
- g. Steel guard cables on garage façades are prohibited.
- h. In order to break up the parking lot area, minimize the visual impact on pedestrians, and encourage pedestrian movement through the districts, one or a combination of the following parking concepts is required for parking that provides more than sixty (60) parking spaces with more than one parking row:
 - 1) Parking is located in a garage.
 - 2) The parking structure is located on the interior of the block, screened from public view by habitable structures, and is not located adjacent to a right-of-way. **Graphic of this option.**
 - 3) For every sixty (60) parking spaces, there shall be a separate and distinct parking area connected by driving lanes but separated by a landscaping strip a minimum of ten feet (10') wide the full length of the parking row. The landscaping strip shall contain a pedestrian walkway the full length of the parking row that begins from the public sidewalk and is visually identified by the solid use of brick pavers. At a minimum, landscaping shall be one canopy tree (1.5-inch caliper or greater) for every twenty-five (25) linear feet. **Graphic of this option.**

In addition, at least seventy-five percent (75%) of all end islands in the parking lot must be irrigated and landscaped with a minimum 1.5-inch caliper canopy tree, 1.25-inch caliper noncanopy tree, and/or ten (10) five (5) gallon shrubs three feet (3') in height at time of planting. Islands not landscaped shall be treated with brick pavers, groundcover, and/or perennial grass.

6. Bicycle Parking Standards

Specific bicycle racks utilized shall be as identified in the City of College Station Design Standards: Northgate.

- a. For nonresidential uses, a minimum of four (4) bicycle parking spaces plus one (1) additional space for each one thousand (1,000) square feet of floor area above 2,000 square feet shall be required.
- b. For residential uses, a minimum of one (1) bicycle space per dwelling unit shall be required.
- c. In no case shall more than 20 bicycle parking spaces per business or residential building be required.
- d. Facilities shall be separated from motor vehicle parking to protect both bicycles and vehicles from accidental damage and shall be separated at

least three feet (3') from building or other walls, landscaping, or other features to allow for ease and encouragement of use. Bicycle parking facilities may be permitted on sidewalks or other paved surfaces with a PIP (when necessary) and provided that the bicycles do not block or interfere with pedestrian or vehicular traffic.

- e. Required bicycle parking may be consolidated with the bicycle parking of adjacent properties and provided off-site if the bicycle rack location is within 100 feet of the main entry façade of the building and with written agreement from the property owners.

7. Sidewalk Standards

Sidewalks shall be incorporated into all proposed development, redevelopment, rehabilitation, and façade projects within any Northgate district. In the event that a sidewalk exists on a site prior to development or redevelopment and does not meet all sidewalk and streetscape standards outlined herein, the sidewalk must be upgraded to meet current standards (including American National Standards and Texas Accessibility Standards).

- a. Sidewalks shall be required along both sides of all rights-of-way.
- b. Sidewalks widths shall be as follows:
 - 1) Sidewalks shall be a minimum of twelve feet (12') in width on University Drive and South College Avenue.
 - 2) Sidewalks shall be a minimum of ten feet (10') in width on Church Street and College Main.
 - 3) Sidewalks shall be a minimum of eight feet (8') in width on all other streets in Northgate.
- c. Sidewalks shall be located directly adjacent to the back of curb. The Administrator may approve alternate locations to eliminate encroachments of streetscaping materials that would reduce the clear space of the sidewalk to less than six feet (6').
- d. Sidewalks may be constructed in the public right-of-way with a Private Improvement in the Public Right-of-Way agreement (PIP). Sidewalks or parts of sidewalks that lie outside, but are located next to, the right-of-way shall be covered by a dedicated public access easement initiated by the property owner so that they will be dedicated for public use and maintenance.
- e. Sidewalks shall be constructed of colored brick pavers on the exterior (visible) layer as specified in the City of College Station Design Standards: Northgate.

8. Landscape & Streetscape Standards

For NG-1 and NG-3, the standards set forth herein are in lieu of Section 7.5.C Landscaping Requirements and Section 7.5.D Streetscape Requirements of the UDO.

For NG-2, the standards set forth herein are in addition to the requirements of Section 7.5.C Landscaping Requirements and Section 7.5.D Streetscape Requirements.

Any landscape/streetscape improvements may be located within the public right-of-way pursuant to a Private Improvement in the Public Right-of-Way agreement (PIP).

Specific landscaping elements and streetscape hardware (benches, street lights, etc.) utilized shall be as identified in the City of College Station Design Standards: Northgate.

a. Street Trees

- 1) On University Drive, Church Avenue, Wellborn Road, South College Avenue, First Street, Boyette Street, College Main Avenue, and Nagle Street, installation of minimum four-inch (4") caliper street trees shall be located in at-grade tree wells (or raised tree wells or planters on University Drive and College Main Avenue only) and shall be spaced at a maximum of twenty five feet (25') on center and located adjacent to the back of curb. On all other streets not listed above, installation of minimum three-inch (3") caliper street trees shall be located in at-grade tree wells and spaced at a maximum of 25 feet on center and located adjacent to the back of curb.

Alignment of such street trees shall commence twenty feet (20') from the face of curb of street intersections. Spacing may be varied upon approval by the Administrator for the purpose of minimizing conflicts with other streetscape elements and utilities. In areas of concentrated retail activity, street trees may be placed at different intervals upon approval by the Administrator for the purpose of minimizing the obstruction of views of nonresidential uses.

- 2) In locations where a healthy and mature canopy tree equal to four inches (4") in caliper or greater currently exists, the requirements for a new tree may be waived or modified by the Administrator. Such trees must be maintained, barricaded, and otherwise fully protected during the project's construction phase and shall be replaced with trees meeting the specifications herein if they are damaged or die.
- 3) All in-ground vegetated areas, trees, and above ground planters shall include an automated irrigation system. Irrigation will not be required for existing trees that are protected during construction.

b. Landscaping

Any area between the inside or interior of the sidewalk edge and the building façade and/or parking area not utilized as outdoor cafe seating is required to be 100% landscaped/streetscaped and irrigated. Eligible landscape/streetscape improvements shall include raised masonry planter boxes or planter pots, at-grade planting beds, seating benches, light features, decorative railings, masonry walls not exceeding three feet (3') in height, decorative wrought iron fencing, additional pedestrian areas finished with brick pavers, or other elements featured in the College Station Streetscape Plan. Live plant material must be included where feasible in each proposal.

c. Sidewalk Benches

A minimum of one (1) sidewalk bench shall be provided for every fifty linear feet (50') of building frontage along a right-of-way. In no case shall more than four (4) sidewalk benches per building façade be required.

d. Building and Site Lighting

- 1) Building illumination and architectural lighting shall be indirect (no light source visible). Exposed neon tube may be used.
- 2) Light standards for parking lots shall reflect the style of the building plot's architecture or be complementary to that style. Standards shall not be greater than twenty feet (20') in height.

e. Street Lights

- 1) Street light location and type shall be as determined by College Station Utilities Electric and the Administrator.
- 2) The installation and cost of lighting shall be performed by the developer or his authorized construction representative subject to compliance with the utility street light installation standards of the College Station Utilities Department.
- 3) Once satisfactorily installed, approved, and accepted by College Station Utilities, the maintenance of the street lights and the furnishing of electric energy to the street lights shall be provided by the City.

f. Trash Receptacles

If installed, trash receptacle locations shall be shown on the landscape plan. One trash receptacle may be located within an intersection's sight distance triangle described in Section 7.1.C Visibility at Intersections in All Districts.

g. Newspaper Racks

If installed, newspaper racks shall be placed so that a four-foot (4') minimum clear space is maintained on the sidewalk.

9. Dumpster & Mechanical Equipment Standards

The following standards are in addition to the requirements of Section 7.7 Solid Waste.

- a. Any dumpster and other waste storage area or container other than streetscape trash receptacles shall be located to the rear of the building served by the dumpster, area, and/or container. The Administrator may adjust this standard where a required entrance façade is located at the rear of the building or when parking is provided on the side of a building.
- b. Where feasible, consolidation of dumpsters may be required by the City.
- c. Solid waste storage areas, mechanical equipment, air conditioning, electrical meter and service components, and similar utility devices, whether ground level, wall mounted, or roof mounted, shall be screened from view from rights-of-way, civic areas, and parks. Exterior screening materials shall be opaque and the same as predominantly used on the exterior of the principal building. Such screening shall be coordinated

with the building architecture, colors, and scale to maintain a unified appearance. Acceptable methods of screening various equipment include encasements, parapet walls, partition screens, or brick walls.

- d. Mechanical equipment shall be located to minimize noise intrusion off site.

10. Detention Pond Screening Standard

Detention ponds shall be screened using berms, shrubs (planted three feet (3') off-center), walls, or a combination of these to achieve a three foot (3') high screen measured from the ground level as stated in Section 5.2.B.10.c above.

11. Sign Standards

- a. Signage shall not obscure other building elements such as windows, cornices, or architectural details.
- b. Illuminated plastic signs are prohibited.
- c. The following types of signage may be used. All others are prohibited.
 - 1) Attached signs**
 - a) Refer to Section 7.4 Signs.
 - b) Exposed neon may be used in attached signage.
 - 2) Window signs**
 - a) Window signs shall allow for the majority of the display area to be open for pedestrian window shopping and shall not cover more than thirty-three percent (33%) of the window area.
 - b) Exposed neon may be used in window signage.
 - 3) Hanging signs**
 - a) Hanging signs shall be suspended from canopies/awnings and located in front of building entrances.
 - b) A maximum of one sign per building entrance is allowed.
 - c) The sign shall not exceed four square feet (4 sq.ft.) in size and shall have a minimum of eight feet (8') of clearance from the walkway grade, four inches (4") of clearance from the building face, and eight inches (8") of clearance from the edge of the canopy/awning.
 - d) Hanging signs located in/over the public right-of-way shall require a Private Improvement in the Public Right-of-Way agreement (PIP) in addition to the necessary Building Permit.
Provide graphic.
 - 4) Projection signs**
 - a) Projection signs are allowed in NG-1 and NG-2 only.
 - b) Projection signs shall be mounted perpendicular to buildings. They shall have a minimum of eight feet (8') of clearance from the walkway grade and four inches (4") of clearance from the building face (barber poles are exempted from these clearance requirements). All extremities of projection signs,

including supports, frames, and the like, shall not project more than three feet (3') from the building face.

- c) A maximum of one sign per building is allowed.
- d) Buildings with one story may have a sign that shall not exceed four square feet (4 sq.ft.) in size. For each additional building story, an additional two square feet (2 sq.ft.) of signage is allowed, up to a maximum of twelve square feet (12 sq.ft.).
- e) Projection signs located in/over the public right-of-way shall require a Private Improvement in the Public Right-of-Way agreement (PIP) in addition to the necessary Building Permit. Provide graphic.
- f) Exposed neon may be used in projection signage.

5) Low profile signs

- a) In NG-2 only, one low profile sign per 150 linear feet of a building plot along South College Avenue may be permitted.
- a) Refer to Section 7.4.F. Sign Standards.
- b) Exposed neon may be used in low profile signage.
- d. If more than twenty-five percent (25%) of the square footage of structures on a site is demolished, any nonconforming signage on the site must also be demolished. The signage will not be considered "grandfathered", and no other permits will be issued for the site by the City of College Station until the signage has been removed.
- e. If all the structures on a site are demolished, any remaining signage must all be demolished. The signage will not be considered "grandfathered", and no other permits will be issued for the site by the City of College Station until the signage has been removed.

12. Outside Storage and Display Standards

The following standards are in lieu of Section 7.11 Outdoor Storage and Display.

- a. Outdoor storage of materials or commodities is prohibited.
- b. Temporary or portable buildings of any kind are prohibited except during construction of site-planned facilities.
- c. Outside sales/outside display areas shall be located within five feet (5') of a required entrance façade and shall only be located in front of the property/business that is selling the item(s). A four-foot (4') minimum clear space on sidewalks shall be maintained.
- d. All merchandise and/or seasonal items used for outside sales or display shall be moved indoors at the end of business each day.

13. Waivers

The Design Review Board (DRB) shall review requests for deviations from the standards of Section 5.6.B Northgate Districts as listed below. The DRB shall approve waivers found to meet the intent of the standards of Section 5.6.B Northgate Districts and the Northgate Redevelopment Implementation Plan. Financial hardship may not be considered in the review or determination of a waiver proposal.

DRB review and waiver approval shall be limited to the following items:

- a.** Relief from the building design standards for historic properties if the proposed building improvements or additions generally conform to 5.3.B.3 Standards and they preserve the historical appearance and architectural character of the building.
- b.** Relief from specific requirements related to building orientation and access for the improvement of existing buildings if it can be proven by the applicant shows that inherent site characteristics constrain the proposed project from meeting the requirement(s) herein. Relief shall not be considered for building expansions or additions.
- c.** Alternatives to the requirements related to building orientation and access when physical characteristics limit the site or provide for unique orientation and access opportunities.
- d.** A reduction in the percentage of required building transparency for the rehabilitation of existing buildings if it can be proven by the applicant that inherent site characteristics constrain the proposed project from meeting the requirements herein.
- e.** Alternatives to the requirements related to building transparency for new construction if the alternatives substantially provide the same visual interest for the pedestrian.
- f.** Alternate architectural features to meet the requirements related to architectural relief when the proposed architectural details substantially provide a level of uniqueness to the building at the pedestrian scale.
- g.** Along non-primary entrance facades that do not abut a right-of-way and that require design elements, murals may be considered by the Design Review Board to meet the two-design element requirement. Mural topics may include architecture and/or Texas A&M University. Murals may not contain copy or logo advertising any business.
- h.** Alternatives to the requirement related to roof type when the architecture of the urban building integrates a unique roof form. Shed, hip, gable, mansard, and gambrel roofs shall not be allowed.
- i.** Substitutions of building materials for buildings if the applicant shows that:
 - 1)** The building material is a new or innovative material manufactured that has not been previously available to the market or the material is not listed as an allowed or prohibited material herein and the material is similar and comparable in quality and appearance to the materials allowed in Section 5.6.B.5.d Exterior Building Materials or
 - 2)** The material is an integral part of a themed building (example 50's diner in chrome).
 - 3)** No variance shall be granted to minimum building material requirements specified for buildings ten thousand square feet (10,000 sq.ft.) or greater in area or for building plots with a cumulative structure square footage of ten thousand (10,000 sq.ft.) or greater.

- j.** Alternative materials on façade work that does not involve an expansion of an existing building as defined in Section 9 of the UDO or constitute redevelopment if the applicant shows that:

 - 1)** The materials allowed in Section 5.6.B.5.d Exterior Building Materials cannot be utilized without a structural alteration(s) to the existing building and
 - 2)** A licensed professional engineer or architect verifies in writing that a structural alteration is required to apply the permitted façade materials to the building.
- k.** An increase in the percentage of accent colors that may be used on a façade, not to exceed a total of twenty percent (20%) of the façade.
- l.** An increase in the number of accent colors used on a façade when the additional colors are analogous to the two original accent colors (adjacent to the original accent colors on the color wheel).
- m.** Alternatives to the requirements related to surface area parking lots. Alternatives must separate the parking areas so that no more than 60 parking spaces are located in the same vicinity without substantial visual separation from additional parking spaces.
- n.** A decrease in parking requirements for residential uses provided that the applicant submits a parking study that supports the decrease based on reasonable assumptions of parking availability. Unless shared or off-site parking is provided as allowed in Section 7.2.I Alternative Parking Plans, in no case shall the DRB permit a reduction in the number of required spaces:

 - 1)** To less than the number recommended within the parking study, or
 - 2)** To more than a fifty percent (50%) reduction in the amount of parking required for residential uses by Section 7.2.H Number of Off-Street Parking Spaces Required
- o.** An increase in the distance requirement for shared and/or off-site parking when the shared or off-site parking is provided in a parking garage.
- p.** Relief from the sidewalk width standard when bringing an existing sidewalk up to current standard where existing physical conditions prohibit the sidewalk expansion.
- q.** Alternatives to the Landscape & Streetscape Standards for projects utilizing an existing structure(s) if it can be proven by the applicant that inherent site characteristics constrain the proposed project from meeting the requirements herein.
- r.** Relief from the 2-story requirement in NG-2 if all facades are a minimum of 25 feet in height and all façades give the appearance of a two-story structure as determined by the Design Review Board.
- s.** Relief from the minimum height requirement in NG-1 and NG-2 for an existing structure undergoing only façade rehabilitation if the applicant shows that inherent site characteristics constrain the proposed project from meeting the requirement(s) herein. Relief shall not be considered for building expansions or additions.

5.2 Design District Dimensional Standards

The following table establishes dimensional standards that shall be applied within the Design Districts, unless otherwise identified in this UDO:

	NG-1	NG-2	NG-3	WPC
Minimum Lot Area	None	None	None	2,400 SF
Minimum Lot Width	None	None	None	24'
Minimum Lot Depth	None	None	None	100'
Minimum Front Setback	None	None	None	25'
Minimum Side Setback	None	None	None	None (A)
Minimum Side Street Setback	None	None	None	15'
Minimum Rear Setback	None	None	None	15'
Minimum Setback from Back of Curb (B)	10'	10'	10'	None
Maximum Setback from Back of Curb (B)	15' (C)(D)(E)	25' (C)(D)(E)	15' (C)(D)(E)	None
Maximum Height (F)	None	None	None	None
Minimum Height	2 Stories	2 Stories	2 Stories	None
Minimum Floor to Area Ratio (FAR)	1 : 1 (G)	0.75 : 1 (G)	1 : 1 (G)	None

Notes:

- (A) Lot line construction on interior lots is allowed where access to the rear of the building is provided on the site or by dedicated right-of-way or easement.
- (B) Minimum/maximum setback from the back of any curb, including lots with single frontage, lots with double frontage, and corner lots with multiple frontages.
- (C) If the width of any public easement or right-of-way is in excess of the maximum setback, the maximum setback will be measured from the edge of the public easement or right-of-way.
- (D) Maximum setback from back of curb for University Drive is 25 feet, Wellborn is 35 feet and 100 feet for South College.
- (E) When café seating is between the café's building and a right-of-way, the building may be setback a maximum of 35 feet.
- (F) All structures, accessories, landscaping, etc. must meet the height requirements of the Easterwood Field Airport Zoning Ordinance.
- (G) This area calculation shall not include any lot area encumbered by required easements, setbacks, sidewalks, detention, or area dedicated to civic features. The area of a porch or arcade fronting a public street is included in the calculation of lot coverage.

Article 6. Zoning Districts

Section 6.2. Types of Use

USE TABLE		Residential Districts										Non-Residential Districts											
Specific Uses		A-O	A-OR	R-1	R-1B	R-2**	R-3**	R-4**	R-6**	R-7**	P-MUD**	A-P	C-1	C-2	C-3**	R & D**	M-1	M-2	C-U	WPC**	NG-1**	NG-2**	NG-3**
KEY: P = Permitted by Right ; P* = Permitted Subject to Specific Use Standards; C = Conditional Use																							
RESIDENTIAL																							
Boarding & Rooming House								P	P		P												P
Extended Care Facility / Convalescent/Nursing Home								P	P		P		P	P						P			
Dormitory								P	P		P										P	P	P
Duplex						P		P	P		P												
Fraternity/Sorority								P	P												P	P	P
Manufactured Home	P*	P*								P*													
Multi-Family								P	P		P									C ¹	P	P	P
Multi-Family built prior to January 2002								P	P											P	P	P	P
Single-Family Detached	P	P	P	P	P	P					P												
Townhouse							P	P	P		P												P
PUBLIC, CIVIC AND INSTITUTIONAL																							
Educational Facility, College & University																			P				
Educational Facility, Indoor Instruction											P	P	P	P	P					P	P	P	P
Educational Facility, Outdoor Instruction	P	C									P		P	P									
Educational Facility, Primary & Secondary			P	P	P	P	P	P			P	P	P	P	P								
Educational Facility, Tutoring											P	P	P	P						P	P	P	P
Educational Facility, Vocational/Trade											P	P	P	P			P	P					
Governmental Facilities	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P*
Health Care, Hospitals													P	P									
Health Care, Medical Clinics												P	P	P	P						P	P	
Parks	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P
Places of Worship	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P
COMMERCIAL, OFFICE AND RETAIL																							
Agricultural Use, Barn or Stable for Private Stock	P	P																					
Agricultural Use, Farm or Pasturage	P	P																					
Agricultural Use, Farm Product Processing	P																						

¹ Multi-family residential uses located in stories or floors above retail commercial uses are permitted by right.

** District with Supplemental Standards (Refer to Article 5).

Per Ordinance No. 2753 dated September 23, 2004

USE TABLE	Residential Districts										Non-Residential Districts											
Specific Uses	A-O	A-OR	R-1	R-1B	R-2**	R-3**	R-4**	R-6**	R-7**	P-MUD**	A-P	C-1	C-2	C-3**	R & R**	M-1	M-2	C-U	WPC**	NG-1**	NG-2**	NG-3**
KEY: P = Permitted by Right ; P* = Permitted Subject to Specific Use Standards; C = Conditional Use																						
COMMERCIAL, OFFICE AND RETAIL (continued)																						
Animal Care Facility, Indoor										P	P	P	P	P					P	P	P	
Animal Care Facility, Outdoor	P*												P									
Art Studio/Gallery										P	P	P		P					P	P	P	P
Car Wash												P*										
Commercial Garden/Greenhouse/Landscape Maintenance	P*											P*	P*				P*					
Commercial Amusements										P		P*	P*						P	P	P	
Conference/Convention Center										P		P	P						P	P	P	
Country Club	P	P	P	P						P		P	P									
Day Care, Commercial							C	C	C		P	P		P						P	P	P
Drive-in/thru window												P							C			
Dry Cleaners & Laundry										P*	P*	P	P	P*					P*	P*	P*	P*
Fraternal Lodge										P		P	P							P	P	P
Fuel Sales										P*		P*		P*			P					
Funeral Homes												P	P				P					
Golf Course or Driving Range	P*									P*		P*	P*									
Health Club/Sports Facility, Indoor										P		P		P					P	P	P	P
Health Club/Sports Facility, Outdoor										P		P							P	P	P	
Hotels										P		P							P	P	P	
Night Club, Bar or Tavern										C		C							P	P	P	
Offices										P	P	P	P	P	P	P	P		P	P	P	P
Parking as a Primary Use										P	C	P	P						P		C	
Personal Service Shop										P	P	P		P					P	P	P	P
Printing/Copy Shop										P	P	P	P	P					P	P	P	
Radio / TV station/studios										P	P	P	P	P		P	P					
Restaurants										P		P		P*					P	P	P	P*

¹ Multi-family residential uses located in stories or floors above retail commercial uses are permitted by right.

** District with Supplemental Standards (Refer to Article 5).

Per Ordinance No. 2662 dated September 9, 2003

Per Ordinance No. 2753 dated September 23, 2004

USE TABLE	Residential Districts											Non-Residential Districts											
Specific Uses	A-O	A-OR	R-1	R-1B	R-2**	R-3**	R-4**	R-6**	R-7**	P-MUD**	A-P	C-1	C-2	C-3**	R & D**	M-1	M-2	C-U	WPC**	NG-1**	NG-2**	NG-3**	
KEY: P = Permitted by Right ; P* = Permitted Subject to Specific Use Standards; C = Conditional Use																							
COMMERCIAL, OFFICE AND RETAIL (continued)																							
Retail Sales - Single Tenant over 50,000 SF												P										P	
Retail Sales and Service										P		P*	P*	P					P	P	P	P	
Sexually Oriented Business (SOB)	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Shooting Range, Indoor										P		P	P						P				
Theater										P		P							P	P	P		
Retail Sales, Manufactured Homes																	P*						
Storage, Self Service												P	P	P*			P						
Vehicular Sales, Rental, Repair and Service												P*	P*				P*						
Wholesales/Services												P*	P*			P	P						
INDUSTRIAL AND MANUFACTURING																							
Bulk Storage Tanks / Cold Storage Plant														P			P						
Industrial, Light														P		P	P						
Industrial, Heavy																	P						
Recycling Facility – Large														P*			P						
Salvage Yard																	P*						
Scientific Testing/Research Laboratory														P		P	P						
Storage, Outdoor - Equipment or Materials														P			P	P					
Truck Stop/Freight or Trucking Terminal																	P						
Utility	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Warehousing/Distribution														P			P	P					
Waste Services																	P						
Wireless Telecommunication Facilities – Intermediate	P*									P*	P*	P*	P*	P*	P*	P*	P*		P*	P*	P*	P*	
Wireless Telecommunication Facilities – Major	C										C	C	C	C	C	C	P*						
Wireless Telecommunication Facilities – Unregulated	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	

¹ Multi-family residential uses located in stories or floors above retail commercial uses are permitted by right.

** District with Supplemental Standards (Refer to Article 5).

9.3 Nonconforming Structures

A. Enlargement, Alteration

1. A structure (including parking lots, parking structures, and parking areas), which is nonconforming by physical design may be enlarged or structurally altered as long as such enlargement or alteration otherwise complies with the terms of this UDO.

Per Ordinance No. 2753 dated September 23, 2004

2. In NG-1, NG-2, and NG-3, the whole building plot must come into compliance with the requirements of this UDO when more than twenty-five percent (25%) of a building(s) on the site is enlarged or altered.

B. Termination

The City Council shall have the authority to initiate on its motion, or cause to be presented by interested property owner, action to bring about the discontinuance of a nonconforming structure under any plan whereby full value of the structure can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of this UDO.

C. Abandonment

Whenever a nonconforming structure has been discontinued or abandoned for more than three months, a presumption of intent to abandon said structure shall have been established and the right to continue the former nonconforming structure shall no longer exist. Subsequent operation as a nonconforming structure shall be unlawful.

11.2 Defined Terms

For the purpose of this UDO, certain words as used herein are defined as follows:

Restaurant: An establishment that serves food and beverages primarily to persons seated within the building. This includes, but is not limited to, cafes, tea rooms, and outdoor cafes.

Restaurant – Casual Dining: A restaurant with a market segment between Fast Food and Fine Dining restaurants usually characterized by table service, a relatively fully-stocked and full service bar, and a bill per dinner averaging \$10 - \$30 for an evening meal and slightly less for lunch and does not provide drive thru service.

Restaurants - Fast Food: An establishment that offers quick food which is accomplished through a limited menu of items already prepared and held for service, or prepared quickly. Orders are not generally taken at a customer's table and food is generally served in disposable wrapping or containers.

Restaurant – Fine Dining: A restaurant serving formal style dinner, and services where food and drink are prepared and served. Customer turnover rates are typically one hour or longer. Such establishments serve dinner but generally do not serve breakfast and may or may not serve lunch or brunch. These restaurants usually have a dress code and do not provide drive thru service.